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July 1, 1993
93-113

FCC MAIL BRANCH

Office of The Secretary
Federal Communications Commission
Washington, DC 20554

Dear Commissioner:

Reference is made to NPRM 93-113 to revise and update the requirements of two general exemptions from the Radio Telegraph requirements of the Communications act.

BACKGROUND:

The Communications Act clearly allows the Commission to extend its authority over the land and waters contained within the contiguous zone of the United States; but in International waters, the Commission has no authority as the Commission has signed away any remaining authority to the IMO/ITU under International Treaty.

DISCUSSION:

Route restrictions binding upon the Commission are not unnecessarily restrictive, as the Commission has no authority on International Waters. The exemptions the Commission is expected to grant are clearly outside the Commission's Jurisdiction. as such voyages are International Voyages and as such fall under the purview of the ITU/IMO by treaty. The ITU/IMO require that a means of Distress Alerting be available, either GMDSS, or SOLAS 1973.

Satellite EPIRBS are not the answer, but should be thought of as a supplemental warning/alerting device. An EPIRB with a unique ID is an excellent idea, however the satellites take several passes before some person decides if the alert is real or not. This can take several hours. Then, it may be too late for some of the casualties. The ideal solution for a distress alert is communications in record form. Have you ever tried to decipher "English" as spoken by a non native speaker? Try it sometime, you will discover that it is very difficult. That it why 2182kHz and VHF CH16 radiotelephone is not a good solution. Even when the Distress alerts are initiated by a RCC, it has been left up to the Radiotelegraph Operators to establish communications on 500 khz among ships of different nationalities, to coordinate the rescue as

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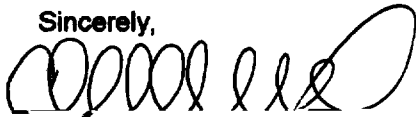
FCC
July 1, 1993
93-113
Page - 2

the respective bridge watches could not understand each other on vhf channel 16. Such close range contacts are even too close for proper synchronizing of sitor signals.

GMDSS? Would have been an excellent as a supplement to the existing distress alert system. Inmarsat A Standard was supposed to be the panacea, until the antenna problem was pointed out. Then standard C comes along, but that is not an exclusive marine system. As required by international treaty; a GMDSS vessel, must in effect move its Radio Room to the bridge. This costs a lot of money which really is what the exemption requests are all about.

If the vessel owners want to make such voyages, (I.E. near foreign, trans. canal) International treaty requires that they comply with either SOLAS or GMDSS. GMDSS does consider near foreign voyages, (I.E. category A) It would seem the Commission's hands are tied by International Treaty. Grant exemptions from these international requirements, and some day we will be shocked to read in the paper or see on Television that another "Titanic" went down with great loss of life and no one able or wanting to rescue the poor souls.

Sincerely,

A handwritten signature in dark ink, appearing to be a stylized name or set of initials, located below the word "Sincerely,".